

## State of Wyoming Proposed Personnel Rules

### Statement of Principle Reasons

Amended Personnel Rules of the Executive Branch of Wyoming State Government

To Be Filed As Amended Rules

In accordance with W.S. 9-2-1022 and 16-3-103, the Department of Administration and Information, Human Resource Division is proposing to amend Chapter 10 – Leave of the State of Wyoming Personnel Rules. This chapter is being revised to address issues brought up by the State Legislature including at-will employment and transfer of leave between governmental branches. This chapter is being reviewed and revised to clarify the usage of personal leave, administrative leave and leave without pay. Employee status for each leave type is being revised to ensure consistency within the chapter, and a new rule for “end of service” leave usage/payment is being added. Appendix A is also being amended to include new and updated definitions. Specific information on the changes are detailed below. The intent is to open the rules for public comment on October 1, 2012.

In general, all references to executive leave and leave for at-will employees at the Governor’s office shall be detailed in an Executive Leave Policy.

**Chapter Title** No change to the chapter title.

**Section 1. Vacation Leave.** The employment status of employees eligible to accrue vacation leave is clarified. Employees will be authorized to use unused accrued vacation leave at the end of service to the state in lieu of receiving a lump sum payment. Carry-over of unused vacation leave will be allowed between branches of government. Per mutual agreement, the carry-over of vacation leave will not be allowed when an employee transfers between State Government and the University of Wyoming.

**Section 2. Sick Leave.** The employment status of employees eligible to accrue sick leave is clarified. Accumulated unused sick leave may not be used as end of service leave at the end of an employee’s service to the state. Advanced sick leave is eliminated. Transfer of unused sick leave will be allowed between branches of government. Per mutual agreement, the carry-over of sick leave will not be allowed when an employee transfers between State Government and the University of Wyoming.

**Section 3. Bereavement Leave.** The employment status of employees eligible to use bereavement leave is clarified.

**Section 4. Holiday Leave.** The employment status of employees eligible for paid holiday leave is clarified.

**Section 5. Exempt Paid Time Off.** No Changes.

**Section 6. Parental Leave.** Allows an agency director to approve the use of accumulated leave or leave without pay for the birth or adoption of a child beyond what is required under the Family Medical Leave Act.

**Section 7. Voting Leave.** No Change.

**Section 8. Court Leave.** The employment status of employees eligible to use court leave when required to serve as a member of a jury panel or as a witness of the court is clarified.

**Section 9. Legislative Leave.** No Change.

**Section 10. Educational Leave.** The employment status of employees who are not eligible to use educational leave is clarified.

**Section 11. Administrative Leave.** The employment status of employees who are eligible for administrative leave due to weather related closure of state offices. When an employee is unable to report to work due to inclement weather, and state offices are open, vacation leave is to be used to cover the absence. Agencies are now required to accurately track the use of administrative leave in the state payroll system.

**Section 12. Personal Leave.** A non-profit community service organization has been defined and now requires an employee to provide verification from the organization of their non-profit status. Specific functions are prohibited such as promotion of religion, attempts to influence legislation, governmental policy or elections to public office, recognition of birthdays, early releases for holidays or undocumented performance. Employee may still use accrued vacation time for these activities. Agencies using personal leave are required to submit written plans and receive prior approval of the Human Resource Administrator. These plans include an employee recognition program, wellness initiative, merit incentive program, and team based recognition plans in which personal leave will be awarded. Agency heads or designee are required to track personal leave awarded and used in the state payroll system. Employee who are not eligible to receive this type of paid leave are clarified..

**Section 13. Military Leave.** No Change.

**Section 14. Leave Without Pay.** All other types of paid leave must be exhausted before Leave Without Pay is allowed. Language was added allowing an employee who is on military leave to use leave without pay and not be required to exhaust all other type of accrued paid leave first. The number of consecutive days of military leave used before the Human Resources Division is notified is clarified.

**Section 15. Administrative Review Leave.** Added two additional reasons an employee may be placed on Administrative Review Leave.

**Section 16. Family and Medical Leave Act (FMLA).** Corrected the formatting of subsection (k)(i)(A). Corrected the reference to the State Personnel Rules section on leave without pay.